

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO: R2-2002-0083

AMENDMENT OF SITE CLEANUP REQUIREMENTS (ORDER NO. 95-114) FOR:

RICHARD KLINGER, AND
THERMOFUSION, INCORPORATED

for the property located at

2342 AMERICAN AVENUE
HAYWARD, ALAMEDA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Board), finds that:

1. **Regional Board Orders:** The Board adopted site cleanup requirements for this site on May 24, 1995 (Order No. 95-114). No other orders apply to the site.
2. **Reason for Amendment:** Improper disposal of the solvent trichloroethylene (TCE) from Thermofusion, Inc. ("Thermofusion") has contaminated shallow groundwater as much as 3,000 feet downgradient (southwest) of the site. In early 2002, shallow, private wells were identified on five properties located above the known boundaries of the plume. Long-term, alternative water supplies for impacted properties were proposed in a May 8, 2002, report entitled *Evaluation of Alternatives for Domestic Wells on Dunn Road and McCone Avenue*. The report was approved by Board staff in a letter dated May 31, 2002. This amendment requires that the dischargers implement the approved proposals.
3. **CEQA:** This action is an amendment of an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
4. **Notification:** The Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to amend site cleanup requirements for the discharge, and has provided them with an opportunity to submit their written comments.

5. **Public Hearing:** The Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. 95-114 shall be amended to include the below tasks:

2j. SCHEDULE FOR ALTERNATIVE WATER SUPPLY PROPOSAL IMPLEMENTATION

COMPLETION DATE: September 30, 2002

Provide a schedule acceptable to the Executive Officer for implementation of proposals presented in the May 8, 2002, report *Evaluation of Alternatives for Domestic Wells on Dunn Road and McCone Avenue*. Properties on McCone Avenue are to be connected to the City of Hayward municipal water system. If technically and economically feasible, a replacement well is to be installed for effected properties on Dunn Road.

2k. IMPLEMENTATION OF ALTERNATIVE WATER SUPPLY PROPOSALS

COMPLETION DATE: As approved above.

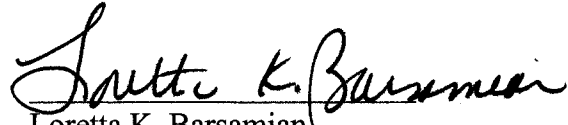
Provide a technical report acceptable to the Executive Officer that documents the completion of actions proposed in the May 8, 2002, report *Evaluation of Alternatives for Domestic Wells on Dunn Road and McCone Avenue*.

2l. ADDITIONAL ALTERNATIVE WATER SUPPLY PROPOSALS

COMPLETION DATE: 90 days after requested by the Executive Officer.

If the Executive Officer determines that installation of a replacement well for impacted properties on Dunn Road is technically or economically unfeasible, or if additional properties are identified that should be included under this amendment, provide a technical report acceptable to the Executive Officer that contains a revised proposal for alternative water supplies and a schedule for implementation of the proposed actions.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on August 20, 2002.


Loretta K. Barsamian
Executive Officer

FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY
